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January 3, 2002

Attorney General John Ashcroft
US Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Ashcroft:

I wanted to let you know that my colleagues and I were pleased with the settlement that was reached between Microsoft Corporation, the Department of Justice, and several States. I believe that the settlement addresses the key issues that are of concern to consumers and most software development companies. Moreover, I think it is in the best interest of the software development industry, if not the nation, to put this matter behind us. The entire technology community has lacked direction and has had to deal with a great amount of uncertainty for the past two years. I think this settlement is the best way to end this lawsuit and to put the technology industry back on track.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Smetters", with a long horizontal flourish extending to the right.

David J. Smetters
President